

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

**F047086      People v. Powers**

Cause called and argued by Stephan Greenberg, Esq., counsel for appellant. William K. Kim, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

**F047465      Fordel, Inc. v. City of Mendota**

Cause called and argued by John E. Peterson, Esq., counsel for appellant and by Lynne Thaxter Brown, Esq., counsel for respondent.

Cause ordered submitted.

The court adjourns.

**F049129      People v. Burciaga**

The above-entitled case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F049129      People v. Burciaga**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F047873      People v. Sherrod**

The judgment of conviction is reversed. The matter is remanded to the trial court with directions to allow appellant to withdraw his guilty plea and admissions, and to reinstate the original charges as permitted by law. Dawson, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F047307      People v. Chavez**

Appellant's convictions on counts 6 and 7 are reversed and the case is remanded for the trial court to hold a hearing to determine whether the statute of limitations was tolled. If the statute of limitations was not tolled, the trial court shall dismiss counts 6 and 7. If the statute of limitations was tolled until the information was filed, the trial court shall reinstate its original judgment on counts 6 and 7. In all other respects, the judgment is affirmed. Dawson, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F049321      In re Wayne J., a Minor**

The order dismissing the petition is reversed and the matter is remanded for further proceedings consistent with this opinion.

Levy, J.

We concur: Harris, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F047960      People v. Tabudlo**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F047960      People v. Tabudlo**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048250      In re Victor R., a Minor**

Appellant's petition for rehearing filed herein is denied.

**F046939      People v. Johnson**

Appellant's petition for rehearing filed herein is denied.

**F047124      People v. Kelly**

The submission of the above entitled cause for decision is vacated due to the absence of one or more of the participating justices before the lapse of the 90 days following original submission. The cause is resubmitted for decision. (Cal. Rules of Court, rule 23(e)(1).).